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Docket No.: 04536/019001  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Takayuki Ono

Application No.: 10/625,005

Confirmation No.: 8435

Filed: July 23, 2008

Art Unit: 2627

For: APPARATUS AND METHOD FOR  
CONTROLLING A FOCUS JUMP AND  
LEVEL THEREOF IN A MULTILAYER  
OPTICAL DISK

Examiner: G. Patel

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**  
**PURSUANT TO 37 C.F.R. §1.705(d)**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Applicant respectfully requests reconsideration of the patent term adjustment listed on the issue notification for the referenced application. Specifically, the Applicant respectfully requests that the patent term adjustment be changed to reflect 642 days of patent term adjustment. The pertinent facts are as follows:

1. Notice of Allowance for the referenced case mailed May 1, 2007 listed a patent term adjustment of 642 days.
2. The Issue Fee for the referenced application was timely paid on June 20, 2007.
3. On August 24, 2007, a Notice of Abandonment was erroneously sent indicating the Issue Fee had not been paid.

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4. Applicant then submitted a Petition to Withdraw Holding of Abandonment on September 13, 2007, showing documentation that the Issue Fee had actually been paid on June 20, 2007.
5. A Notice of Rescinded Abandonment was sent on September 21, 2007.
6. The Issue Notification for the referenced case received on October 24, 2007 reflects a patent term adjustment of 599 days. A copy of the issue notification is included with this request.

In view of the above facts, it is clear that the Applicant submitted no papers after the Notice of Allowance that should trigger an Applicant delay with respect to Patent Term Adjustment and as such there should be no days subtracted from the 642 days due at the time of the issuance of the Notice of Allowance. Applicant respectfully requests the Patent Term Adjustment be changed to reflect a Patent Term Adjustment of 642 days.

Applicant believes this request meets all the requirements set out in 37 CFR §1.705(d). If this belief is incorrect, or other issues arise, please contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04536/019001).

Dated: December 17, 2007

Respectfully submitted,

By Jonathan P. Osha #45,079  
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